IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

ORIGINAL JURISDICTION

Dated: Nainital the 13th day of October 2003
Criminal Bail Application No. 900/2003

CRIMINAL SIDE
Murtaza S/o Meharban
R/O Village Amarpur- Begumpur,
P.S.Gangalhedi,
District Saharanpur Applicant.

Versus

State of Uttaranchal ..Opposite party.

Arising out of case crime No. 80 of 2003
Under sections 394, 411 IPC
P.S. Bhagwanpur,
District – Haridwar.

By the court

Hon'ble Irshad Hussain, J.

Heard Sri Rajendra Singh, learned counsel for the applicant, and learned A.G.A. for State.

The accused-applicant was not named in the F.I.R. The occurrence of bank robbery is said to have taken place on 20-5-2003 whereas the accused-applicant was arrested on 31-7-2003 in some other case and as per allegations of the prosecution he made a confessional statement to the police about the involvement in the occurrence of robbery. The applicant-accused has had his account in the same bank and his application for test identification parade was opposed by the prosecution as is evident from the report dated 13.8.2003 page No. 25. The items said to have been recovered were not mentioned in the F.I.R. and considering these aspects bail application is allowed.

The accused-applicant Murtaza shall be released in crime No. 80 of 2003 under section 394, 411 IPC P.S. Bhagawanpur District Haridwar on his executing a personal bond and two sureties each in the like amount to the satisfaction of A.C.J.M. Roorkee.

(Irshad Hussain, J.)

Dated: 13-10-2003

ISB